



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TTY: Contact Through Relay  
**Jim Doyle, Governor**  
**Richard J. Leinenkugel, Secretary**

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 64  
**Commerce #:** 54548-9319-83-C  
**BRRTS #:** 02-44-540171  
**Site Name:** Ritchie Lakeland Oil  
**Site Address:** 8783 Hansen Rd, Minocqua, 54548  
**Site Manager:** Bill Schultz  
**Address:** 107 Sutliff Ave  
**City, State Zip:** Rhinelander, WI 54501-3349  
**Phone:** 715-365-8965  
**e-mail:** bill.schultz@wisconsin.gov  
**Bid Manager:** David Swimm  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 264-8766  
**e-mail:** David.Swimm@Wisconsin.Gov

|   |                                   |
|---|-----------------------------------|
| <b>Bid-Start Date:</b>                                    | <b>December 28, 2009</b>          |
| <b>Questions must be received by (See Section 2 (B)):</b> | <b>January 11, 2010, 4:00 PM</b>  |
| <b>Responses will be posted by (See Section 2 (B)):</b>   | <b>January 29, 2010</b>           |
| <b>Bid-End Date and Time:</b>                             | <b>February 12, 2010, 4:00 PM</b> |

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**The Copy Shop-Ashland, 310 Stuntz Ave, Ashland, WI 54806**  
**Phone: (715) 682-6567 Fax: (715) 682-6551**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

The Richie Lakeland Oil Bulk Plant site is located at 8783 Hanson Road, Minocqua, Wisconsin. Petroleum storage and handling activities have occurred at the site for more than 30 years. A site investigation has been conducted at the site that has identified an area of petroleum LNAPL (free product) and an associated dissolved phase plume. The plume extended beyond the bulk plant property line to the south southeast toward Lake Minocqua. The petroleum contaminant plume threatens several private potable wells associated with homes along Lake Minocqua.

Presently a dual phase extraction system is being operated to address the free product and dissolved petroleum contaminant plume. The system includes a pump-and treat system from 7 wells (EW-1, EW-2, EW-3, EW-4, EW-5, EW-6 and RW-2900) with a water effluent discharge to Lake Minocqua in accordance with an WPDES permit. In addition, the system includes soil vapor extraction (SVE) from 9 wells (EW-1, EW-2, EW-3, EW-4, EW-5, EW-6, RW-2900, MW-6, MW-2000, SVE-1) which exhausts through an air stripper in accordance with air regulations.

Richie Lackland Oil personnel daily bail free product and check to see if the active system is running.

The Status Update Report (dated 10/6/09) and Operation & Maintenance Manual (dated November 12) for the system are available at the Copy Shop in Ashland.

Important Note: A site visit for potential bidders to view the dual phase extraction system has been scheduled for Tuesday, January 12<sup>th</sup> from 9-11 AM. Bidders are strongly encouraged to attend; however, the visit is optional and is not a requirement to bid. The current consultant (system operator) will be present. Please note that if during the operation of the system the contracted consultant (under this bid) determines a problem that would have otherwise been observed/determined during the site visit, Commerce may consider this not to be a new condition (subject to a change order). *Those attending the site visit are reminded that no contact with the responsible party is allowed.* Also, answers to questions concerning specifics of the operation of the system will only be available to those in attendance (i.e., will not be provided to all bidders on Commerce's bidding web site). Questions of a general nature (e.g., a clarification concerning a statement in this bid spec) should be made to the Project and/or Bid Manager separate from the site visit (i.e., email or another means) and answers will be forthcoming on the Commerce bidding web site.

### **Minimum Remedial Requirements**

Operate and maintain the dual phase extraction system beginning May 1, 2010 through the end of October 2011 (18 months). At a minimum the operation and maintenance shall include the following:

Every two weeks check the system - includes but not limited to: flow rate, total gallons pumped, pump flow rates, oil compressor oil levels, and rates of the SVEs and air stripper shall be conducted. Every month clean the system - includes but is not limited to checking and cleaning the rotometer and floats in the equalizing tank and any other obvious problems. Quarterly (every three months) the system should have a major cleaning that includes but is not limited to cleaning of the pumps and the air stripper. Bidders shall assume the initial cleaning will be during the first month's operation, and during the last month, so the bid will reflect six major cleaning events.

Monthly sampling of the dual extraction system shall be conducted per the approved WPDES permit and air regulations. The systems water effluent shall be sampled for PVOCs plus naphthalene, lead, and oil & grease. Effluent air from the air stripper and SVE #1 will be sampled for GRO and PVOCs. Bidders shall assume initial sampling in early May 2010, so the bid will reflect 18 monthly sampling events.

Free product and other liquid waste is collected from the operation of the dual phase extraction system, from hand bailing wells for product, and from sampling the wells, and this waste is stored in a 500-gallon tank. The tank shall be monitored and waste shall be disposed of on an "as needed" basis with consideration for freezing in the winter.

The dual phase extraction system shall run continuously to the extent practicable. This includes restarting the system within a timely manner (two to three days after a system shut down due to power surges, lighting, blocked/frozen drains, pump/blower malfunctions, or any other related maintenance issues). Bidders shall provide contingency costs in their bid for six unscheduled mobilizations for such repairs on page 2 of the bid response. These costs will be included when evaluating the lowest cost bid, but will not be included in the initial bid cap. These costs will include all consultant costs for the mobilization, repair, and any oversight, but will not include supplies and parts. Required, unscheduled repairs need to be brought to the attention of the DNR and COMM project managers each time such repairs are necessary. Change order submittals for the unscheduled repairs shall be submitted to obtain the consultant contingency cost bid (for one event) and for any additional supply and/or part costs.

The bid will not include utility costs and commodity waste disposal costs, these can be included in claims, but will not be stewarded under the bid cost cap. Consultant coordination of waste disposal is included under this bid scope of work.

Three round of groundwater monitoring shall be completed. Sampling will be conducted approximately every six months (September 2010, April 2011, and September 2011). Monitoring wells MW-1, MW-3, MW-4, MW-6, MW-10, MW-2000, MW-2600, MW-2700 and MW-3300 shall be analyzed for PVOC. A single round of sampling from the four private wells previously sampled (Herrick, Rhode, Bradshaw and Richie) shall be sampled for PVOCs during the September 2011 round of sampling. Water levels shall be measure at each of the sampled wells above and from EW1, EW2, EW3, EW4, EW5, EW6, MW7, MW9, MW1100, MW5, MW800, MW2100, MW2400, MW2500, MW3000, MW2200, and MW2300 during each sampling event.

Free product shall be measured and removed quarterly (every three months beginning May 2010) from wells that have historically exhibit free product. Presently 4 wells have measureable free product thickness, but it has been detected in up to seven wells, so all seven must be checked each quarter.

Two semi-annual remediation system operation and maintenance reports (form 4400-194) shall be submitted; one after 6 months (October 2010) and one after 12 months (April 2011) as required in s. NR 724.13, Wis. Adm. Code. A final report shall be submitted within 90 days after the third round of groundwater sampling (September 2011). The report should include: tabulated historical and recent ground water monitoring data for each well; tabulated amount of free product measured and removed from each well (including the product removal conducted by Ritchie Oil personnel); tabulated groundwater level elevations for each well; groundwater flow map(s) showing the predominant groundwater flow direction(s); an iso-concentration map for benzene; a statistical analysis of increasing or decreasing trends of historical and current monitoring

results; and recommendations for continuing the dual phase system and/or obtaining closure at the site.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

## **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.

5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE – BID ROUND 64**

**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Ritchie Lakeland Oil**

**Commerce #: 54548-9319-83-C**

**BRRTS #: 02-44-540171**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

|                          |                        |                 |
|--------------------------|------------------------|-----------------|
| <input type="checkbox"/> | Professional Engineer  | License # _____ |
| <input type="checkbox"/> | Professional Geologist | License # _____ |
| <input type="checkbox"/> | Hydrologist            | License # _____ |
| <input type="checkbox"/> | Soil Scientist         | License # _____ |



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_



**BID RESPONSE – BID ROUND 64****(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Ritchie Lakeland Oil****Commerce #: 54548-9319-83-C****BRRTS #: 02-44-540171****Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

|  |           |  |
|--|-----------|--|
| Operate/maintain the existing dual phase extraction system for 18 months:                              |           |  |
| System checks every two weeks (39 events)  | \$        |  |
| Monthly cleaning (18 events)   | \$        |  |
| Quarterly major cleaning (6 events)  | \$        |  |
| Monthly system sampling (18 events)  | \$        |  |
| Waste disposal coordination  | \$        |  |
| Groundwater monitoring:  |           |  |
| Monitoring well samples every six months (3 events), including specified water levels                  | \$        |  |
| Private well sampling (single event)   | \$        |  |
| Quarterly product measure/removal (6 events)   | \$        |  |
| Reporting:   |           |  |
| Two semi-annual system O&M reports   | \$        |  |
| Final report with recommendations  | \$        |  |
| PECFA Claim Preparation (2)  | \$        |  |
| <b>Total Bid Amount</b>  | <b>\$</b> |  |
| Contingency: consultant cost for six unscheduled repair events (does not include supply or part costs) | \$        |  |